

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY
AIR QUALITY DIVISION

IN THE MATTER OF: Modification And Operation Without An Air Emission Permit;
Failure To Submit A Timely Permit Application For Permit
Reissuance.
American Linen Supply
Minneapolis, Minnesota

To: Mr. Jerry Johnson, Vice President
American Linen Supply
700 Industrial Boulevard Northeast
Minneapolis, Minnesota 55414

AUTHORITY

This Notice Of Violation (NOV) is issued under the authority contained in
Minn. Stat. § 116.07 (1990).

VIOLATIONS

PLEASE BE ADVISED, that the Minnesota Pollution Control Agency (MPCA) has
sufficient information to indicate that American Linen Supply (Company) has
violated the following provisions of Title 40 Code of Federal Regulations (CFR)
pt. 60.7 and Minn. Stat. § 116.081, subd. 1 and subd. 3, and Minn. Rules
pts. 7001.0030, 7001.0040, subd. 3, and 7001.1210, subd. 1. The regulations,
statute, and rules state, in part:

40 C.F.R., SUBP. DC, § 60.7

NOTIFICATION AND RECORD KEEPING

- (a) Any owner or operator, subject to the provisions of this part,
shall furnish the Administrator written notification as follows:
 - (1) A notification of the date construction (or reconstruction as defined
under § 60.15) of an affected facility is commenced postmarked no later
than thirty (30) days after such date. This requirement shall not apply
in the case of mass-produced facilities which are purchased in completed
form.
 - (2) A notification of the anticipated date of initial startup of an affected
facility postmarked not more than sixty (60) days nor less than thirty
(30) days prior to such date.

- (3) A notification of the actual date of initial startup of an affected facility postmarked within fifteen (15) days after such date.

MINN. STAT. § 116.081, SUBD.1 (1990)

Obtain permit. It shall be unlawful for any person to construct, install, or operate an emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, storage facility, or system or facility related to the collection, transportation, storage, processing or disposal of waste, or any part thereof, unless otherwise exempted by any Agency rule now in force, or hereinafter adopted, until plans therefore, shall have been submitted to the Agency and a written permit therefore, shall have been granted by the Agency. The requirements of this section shall not be applied to motor vehicles.

MINN. STAT. § 116.081, SUBD. 3 (1990)

Permission for alteration. It shall be unlawful for any person to make any change in addition to or extension of any existing system or facility specified in subdivision 1, or part thereof, that would materially alter the method or the effect of treating or disposing of any air contaminant or solid waste, or to operate said system or facility, or part thereof, so changed, added to, or extended until plans therefore, shall have been submitted to the Agency, and a written permit therefore, shall have been granted by the Agency.

MINN. RULES PT. 7001.0030 (1990) PERMIT REQUIRED

No person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the Agency has issued a written permit for the facility or activity.

MINN. RULES PT. 7001.1210 (1990) PERMIT REQUIREMENT

Subp. 1. Permit required. Except as provided in subp. 2, no person may construct, modify, reconstruct, or operate an emission unit, emission facility, stationary source, or control equipment without obtaining an air emission permit from the Agency.

MINN. RULES PT. 7001.0040 APPLICATION DEADLINES

Subp. 3. Reissuance of existing permits. If a permit has been issued by the Agency, and the person holding the permit desires to continue the permitted activity beyond the expiration date of the permit, the person shall submit a written application for permit reissuance at least 180 days before the expiration date of the existing permit.

DESCRIPTION OF VIOLATIONS

On May 29, 1987, the Company was issued a MPCA air emission permit for the operation of its facility. The permit expired on May 29, 1992. An application for reissuance of the permit was not submitted to the MPCA until July 2, 1992. The Company failed to submit a timely permit application to the MPCA.

On June 26, 1992, MPCA staff conducted an inspection of the Company's facility. The inspection revealed that the Company had removed two boilers and installed and operated an additional boiler in July 1991, without obtaining a MPCA air emission permit authorizing the installation and operation of the additional boiler. The Company failed to apply for and receive a MPCA air emission permit authorizing the installation and operation prior to construction. Failure to obtain a permit prior to construction is a violation of Minn. Rules pt. 7001.0030 and 7001.1210 and Minn. Stat. § 116.081, Subd. 1 and 3.

The new Cleaver Brooks natural gas boiler, which was installed in July 1991, is subject to NSPS because its rated heat input is 14.64 million Btu/hr, and it was installed after June 9, 1989. MPCA staff were not notified of the construction date, anticipated date of initial startup and actual date of initial startup. Failure to notify the MPCA in writing within thirty (30) days of commencement of construction is a violation of 40 C.F.R., Subd. Dc, § 60.7.

REQUIREMENTS

In order to address the violations cited in this NOV, the Company is requested to respond accordingly:

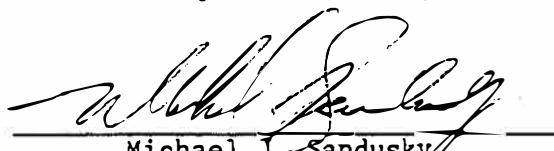
1. Comply with all requests from MPCA staff for additional information needed to develop and reissue a MPCA air emission permit for the facility.
2. Submit a written response to the Air Quality Compliance Determination Unit supervisor, within ten (10) days of the date of this NOV, stating why the Company commenced modification and construction prior to obtaining a permit.
3. Submit a written response to the Air Quality Compliance Determination Unit supervisor, within ten (10) days of the date of this NOV, responding to the MPCA request that the Company will not undertake further modification and construction at the Facility prior to obtaining a permit.
4. Submit a statement to the Air Quality Compliance Determination Unit supervisor, within ten (10) days of the date of this NOV, certifying that all American Linen Supply managers and other appropriate Company staff, have read, understand, and will comply with federal regulations, state rules, and MPCA air emission permits regarding the operation of their facility.

NOTICE

THEREFORE, you are hereby given notice that the above violations have been recorded by the Minnesota Pollution Control Agency. This NOV does not preclude the Minnesota Pollution Control Agency from taking further action with respect to the above violations. Continued violation of Minnesota Pollution Control Agency rules, Minnesota and federal statutes, or federal regulations will result in initiation of further administrative or legal enforcement action.

DATED: September 25, 1992

**COMPLIANCE AND ENFORCEMENT SECTION
AIR QUALITY DIVISION**



Michael J. Sandusky
Section Manager

cc: Dave Hauke, American Linen Supply
Shirley Mitchell, U.S. EPA Region V
Ann Seha, Attorney General's Office
Cynthia Kahrman, AQD
Jenny Reinertsen, AQD
AQD File No. 297A

**CERTIFIED MAIL NO. P 058 001 403
RETURN RECEIPT REQUESTED**

Address Submittals Requested Above To:

Supervisor
Compliance Determination Unit
Compliance and Enforcement Section
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-4194

Address Questions You May Have To:

Fereshteh Rahimzadeh
Enforcement Unit
Compliance And Enforcement Section
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-4194
(612)297-7707